

**State of California
Office of Administrative Law**

In re:
State Water Resources Control Board

Regulatory Action:

Title 22, California Code of Regulations

Adopt sections:

Amend sections: 64806

Repeal sections:

**NOTICE OF FILING AND PRINTING ONLY
OF EMERGENCY REGULATION(S) OR
ORDER(S) OF REPEAL**

Government Code Section 11343.8

OAL Matter Number: 2017-0228-03

**OAL Matter Type: Emergency File and Print
Only (EFP)**

This emergency rulemaking by the State Water Resources Control Board (Board) amends the schedule of fees for environmental laboratories applying for an initial, amendment, or renewal Environmental Laboratory Accreditation Program certification. Pursuant to Health and Safety Code, section 100829, this action is a deemed emergency, not subject to review by the Office of Administrative Law and shall remain in effect until revised by the Board.

OAL filed this emergency regulation(s) or order(s) of repeal with the Secretary of State, and will publish the emergency regulation(s) or order(s) of repeal in the California Code of Regulations.

Date: March 9, 2017



**Kevin D. Hull
Senior Attorney**

**For: Debra M. Cornez
Director**

**Original: Thomas Howard
Copy: Ryan Wilson**

File EMERGENCY

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STB 400 (REV. 07-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER	EMERGENCY NUMBER 2017-0228-03EFP
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ENDORSED - FILED
 In the office of the Secretary of State
 of the State of California

MAR 09 2017

1:39 p.m.

For use by Office of Administrative Law (OAL) only

2017 FEB 28 P 3:05

OFFICE OF ADMINISTRATIVE LAW

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY State Water Resources Control Board	AGENCY FILE NUMBER (if any) Resolution No. 2016-0054
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE		NOTICE REGISTER NUMBER
			PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Emergency Regulation Amending ELAP Fee Schedule	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (including title 26, if toxics related)
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)
ADOPT
AMEND Title 22, Division 4, Chapter 19, Article 3, Section 64806
REPEAL
TITLE(S) Title 22

3. TYPE OF FILING
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input checked="" type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) <input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)
<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input checked="" type="checkbox"/> File & Print per agency request per HSC §100829 <input checked="" type="checkbox"/> Other (Specify)
<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))
 Effective on filing with Secretary of State
 \$100 Changes Without Regulatory Effect
 Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399) (SAM §6660)
 Fair Political Practices Commission
 State Fire Marshal
 Other (Specify)

7. CONTACT PERSON Ryan Wilson	TELEPHONE NUMBER 916-341-5135	FAX NUMBER (Optional) 916-341-5248	E-MAIL ADDRESS (Optional) Ryan.Wilson@waterboards.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Thomas Howard</i>	DATE 2/10/17
TYPED NAME AND TITLE OF SIGNATORY Thomas Howard, Executive Director	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

MAR 09 2017

Office of Administrative Law

§ 64806. Certification Fees.

(a) The following schedule of fees shall apply to every environmental laboratory applying for an initial, amendment, or renewal Environmental Laboratory Accreditation Program certification:

(1) A non-refundable base or administrative fee of ~~\$1,542~~ \$1890 payable at the time of initial and renewal application for certification and annually thereafter, and

(2) An additional non-refundable fee of ~~\$684~~ \$851 for each Field of Testing ~~specified in Health and Safety Code Section 100860.1~~ for which the laboratory has requested in its application that it be certified, payable at the time of application for an initial, amended, or renewed ELAP certification, and annually thereafter.

Note: Authority cited: Sections 100829, 100830, ~~100860.1~~ and 116271, Health and Safety Code. Reference: Sections ~~100825~~ 100829 and ~~100860.1~~, Health and Safety Code.